

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIAH HANSON, AN INDIVIDUAL, MT
PRODUCTIONS, INC., A CALIFORNIA
CORPORATION, AND MARIAH HANSON
DBA CLUB SKIRTS AND MT
PRODUCTIONS

Plaintiffs,

v.

GIRL BAR, INC., A CALIFORNIA
CORPORATION, GB PRODUCTIONS, A
CALIFORNIA CORPORATION, ROBIN
GANS, AN INDIVIDUAL, SANDY SACHS,
AN INDIVIDUAL,

Defendants.

Case No. C 05 4146 MMC

**STIPULATION AND ORDER
REGARDING PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

CASE FILED: OCTOBER 13, 2005
JUDGE: HON. MAXINE M. CHESNEY

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STIPULATION AND ORDER REGARDING PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION
CASE NO. C 05 4146 MMC

1 The Motion for Preliminary Injunction (the “Motion”), filed by Plaintiffs ,
 2 MARIAH HANSON, MT PRODUCTIONS, INC., and MARIAH HANSON dba CLUB
 3 SKIRTS and MT PRODUCTIONS (collectively “Plaintiffs”), came on for hearing before
 4 the above captioned Court, on December 20, 2005 with Eileen R. Ridley and Michael A.
 5 Naranjo of Foley & Lardner LLP and Jennifer J. Hagan of the Hagan Law Firm
 6 appearing on behalf Plaintiffs and Valerie F. Horn of Valerie F. Horn & Associates, a
 7 PLC appearing on behalf of Defendants, GIRL BAR, INC., GB PRODUCTIONS,
 8 ROBIN GANS, AND SANDY SACHS (collectively “Defendant”).

9 Pursuant to the ruling of the Court, the parties – through their counsel – stipulate
 10 to the following:

11 [1] Defendants shall, within twenty-four (24) hours after the signing of this
 12 order, immediately remove from any and all websites they maintain related to the 2006
 13 “Dinah Shore Weekend” (including but not limited to “girlbar.com” and
 14 “dinahshoreweekend”) the following statement “Our Wyndham Hotel guests should
 15 know that the pool area is reserved Saturday and Sunday for our parties and not available
 16 to registered guests unless they present a valid weekend pass or purchase a ticket at the
 17 door”;

18 [2] Plaintiffs and Defendants shall, within twenty-four (24) hours after the
 19 signing of this order, immediately include the following statement on any and all
 20 websites they maintain related to the 2006 “Dinah Shore Weekend” (including but not
 21 limited to “girlbar.com”, “dinahshoreweekend.com”, “thedinah.com” and
 22 “clubskirts.com”): “If you have a Club Skirts or Girl Bar valid pass or ticket you will be
 23 admitted to the Wyndham Hotel pool parties on Saturday and Sunday.” Defendants shall
 24 place said statement where the language described in paragraph 1 was removed.

25 [3] With respect to the sale of tickets to walk-in customers to the 2006 “Dinah
 26 Shore Weekend” Wyndham Hotel pool parties, each party shall be represented by and
 27 ticket sales shall be performed by two separate cashiers – one designated by and acting
 28 for Club Skirts and another designated by and acting for Girl Bar. Each cashier shall be

located at the entrance to the pool party in the same place and parallel to each other. Ticket sales to walk-in customers will be accomplished in an alternating manner so that the revenue from the ticket sales will be evenly split between Plaintiffs and Defendants (*i.e.*, the first walk-in customer will be directed to purchase her ticket from Girl Bar while the second will be directed to purchase her ticket from Club Skirts with the pattern repeating through all walk-in customers who are admitted); and

[4] Neither Plaintiffs nor Defendants shall prevent or prohibit attendees with valid passes or tickets from Club Skirts or Girl Bar from entry to the 2006 “Dinah Shore Weekend” Wyndham Hotel pool parties on Saturday and Sunday.

IT IS SO STIPULATED.

DATED: December 28, 2005

FOLEY & LARDNER LLP

/S/ Eileen R. Ridley

EILEEN R. RIDLEY
ATTORNEYS FOR PLAINTIFFS,
MARIAH HANSON, MT
PRODUCTIONS, INC., AND
MARIAH HANSON DBA CLUB
SKIRTS

DATED: December 28, 2005

VALERIE F. HORN &
ASSOCIATES, A PLC

/S/ Valerie F. Horn

VALERIE F. HORN
ATTORNEYS FOR DEFENDANTS,
GIRL BAR, INC., A CALIFORNIA
CORPORATION, GB
PRODUCTIONS, A CALIFORNIA
CORPORATION, ROBIN GANS, AN
INDIVIDUAL, SANDY SACHS, AN
INDIVIDUAL

The Court, having considered the pleadings in this matter as well as all papers submitted in support of, and in opposition to, said motion, and having heard the argument

of counsel and reviewed the above stipulation of the parties - and good cause appearing - hereby GRANTS the Motion as follows:

[1] Defendants shall, within twenty-four (24) hours after the signing of this order, immediately remove from any and all websites they maintain related to the 2006 “Dinah Shore Weekend” (including but not limited to “girlbar.com” and “dinahshoreweekend”) the following statement “Our Wyndham Hotel guests should know that the pool area is reserved Saturday and Sunday for our parties and not available to registered guests unless they present a valid weekend pass or purchase a ticket at the door”;

[2] Plaintiffs and Defendants shall, within twenty-four (24) hours after the signing of this order, immediately include the following statement on any and all websites they maintain related to the 2006 “Dinah Shore Weekend” (including but not limited to “girlbar.com”, “dinahshoreweekend.com”, “thedinah.com” and “clubskirts.com”): “If you have a Club Skirts or Girl Bar valid pass or ticket you will be admitted to the Wyndham Hotel pool parties on Saturday and Sunday.” Defendants shall place said statement where the language described in paragraph 1 was removed.

[3] With respect to the sale of tickets to walk-in customers to the 2006 “Dinah Shore Weekend” Wyndham Hotel pool parties, each party shall be represented by and ticket sales shall be performed by two separate cashiers – one designated by and acting for Club Skirts and another designated by and acting for Girl Bar. Each cashier shall be located at the entrance to the pool party in the same place and parallel to each other. Ticket sales to walk-in customers will be accomplished in an alternating manner so that the revenue from the ticket sales will be evenly split between Plaintiffs and Defendants (*i.e.*, the first walk-in customer will be directed to purchase her ticket from Girl Bar while the second will be directed to purchase her ticket from Club Skirts with the pattern repeating through all walk-in customers who are admitted); and

[4] Neither Plaintiffs nor Defendants shall prevent or prohibit attendees with valid passes or tickets from Club Skirts or Girl Bar from entry to the 2006 “Dinah Shore

Weekend” Wyndham Hotel pool parties on Saturday and Sunday.

The Motion as to trademark violation and in all other respects is DENIED.

IT IS SO ORDERED.

DATED: December 30, 2005


HON. MAXINE M. CHESNEY
U.S. DISTRICT COURT JUDGE – NORTHERN
DISTRICT OF CALIFORNIA